

EXHIBIT 176

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Judy Kennedy, hereby declare as follows:

1. I am the Mayor of the City of Newburgh (the “City”), with offices at City Hall, 83 Broadway, Newburgh, NY. I have been the City’s Mayor since January 1, 2012.
2. The City of Newburgh is located in the Hudson Valley region of New York State, and is home to approximately 28,200 residents, according to the U.S. Census Bureau.
3. The City has significantly benefited both socially and economically from its diverse immigrant population. Approximately 25% of the City’s residents are foreign-born. These residents live, work, go to school and meaningfully contribute to the Newburgh community.
4. The City of Newburgh has long been committed to maintaining an inclusive and welcoming community for all its residents, regardless of immigration status. For example, in March 2017, the City Council of Newburgh passed a resolution declaring the City a “Safe and Welcoming” jurisdiction, meaning that our local police department and government will not do more than is legally required to enforce federal immigration law.
5. On September 5, 2017, the Department of Homeland Security announced that it would end the Deferred Action for Childhood Arrival (“DACA”) program. Terminating DACA will have a profound irreparable impact on the City of Newburgh.
6. I know of at least 24 DACA recipients who currently live, work, or attend school in the City of Newburgh. The City is likely home to many other DACA.
7. Several DACA recipients attend public school in the Newburgh Enlarged City School District. I am aware of DACA recipients at the local high school who are high achieving, who volunteer with local non-profits, and who plan to attend college and pursue careers in healthcare and education.
8. Without DACA, these students will find it more difficult to pursue these goals. They will have difficulty obtaining financial aid for college, and obtaining internships and employment to further their careers. Terminating DACA may lead these students to forgo college altogether.
9. Moreover, terminating DACA will prevent these students from working at non-profits to improve their communities, and may separate these students from their school

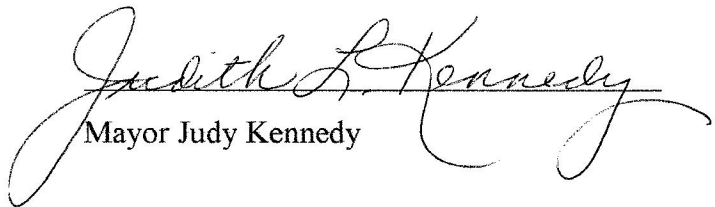
communities. The City of Newburgh has an interest in reaping the benefits of a diverse and inclusive community.

10. I know of at least one DACA recipient in the City of Newburgh who currently works in public service, specifically in education. Without DACA that individual would no longer be eligible to work for community, and her employer, a public entity that spent time and resources to train her, would lose the benefit of her services.
11. In addition, DACA recipients in Newburgh work in a variety of additional sectors. Among others, DACA recipients in Newburgh work in healthcare, construction and education.
12. In Newburgh the healthcare, construction and education sectors has a substantive impact on the local economy. In addition, DACA recipients work at non-profits that work hard to improve the Newburgh community and ensure justice for all the City's residents.
13. These sectors in Newburgh depends on highly trained and qualified employees. With the termination of DACA, DACA recipients will no longer have work authorization. Employers in healthcare, construction and education will thus lose the services of the highly qualified and trained DACA recipients currently working in those sectors. Moreover, the applicant pool for those sectors will also lose qualified and trained applicants.
14. Losing trained and qualified staff in these industries will not only hurt the particular companies in those sectors, it will also harm the economic outlook of the City of Newburgh.
15. The DACA recipients working in Newburgh earn incomes on which they pay local income taxes. Terminating the DACA program, will result in the loss of this tax income to the City of Newburgh.
16. Moreover, DACA recipients in Newburgh own homes, and pay local property taxes on those properties.
17. Beyond the detrimental economic impact, the DACA rescission would have a destructive effect on the social fabric of the City of Newburgh. Immigrants, including DACA recipients, live throughout Newburgh's various neighborhoods and communities.

18. Termination of the DACA program may result in the relocation of DACA recipients, now subject to deportation, from Newburgh. Several DACA recipients in Newburgh are part of mixed-status families, in which a DACA recipient is the parent, spouse or sibling to a U.S. Citizen. In some cases the DACA recipient is the primary caregiver. The termination of DACA will likely threaten the stability of these mixed-status families.
19. Moreover, rescinding the DACA program may result in the fracturing of communities as residents flee or become subject to federal government deportation.
20. Thus, rescinding DACA will negatively impact economic growth, reduce tax revenues, harm the City's interest in diversity and inclusion, and threaten the stability of families and communities in the City of Newburgh.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 3 day of October, 2017.


Mayor Judy Kennedy